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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,026	06/15/2001	Gareth Jones	13DV13822	9675

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EXAMINER

ALAUBAIDI, HAYTHIM J

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 09/11/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

09/883,026

Applicant(s)

JONES ET AL.

Examiner

Haythim J. Alaubaidi

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This communication is the first Non-Final action in response to Application No. 09/883,026.
2. Claims 1-19 are presented for examination, of which Claims 1, 5 and 14 are independent claims.
3. Claims 1-4, are rejected under 35 U.S.C. 112, second paragraph.
4. Claims 1-5, 7-12 and 14-18, are rejected under 35 U.S.C. 102(b).
5. Claims 6, 13 and 19, are rejected under 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
 7. Claims 1-4, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 8. Regarding Claim 1, an insufficient antecedent basis for the term "repair" in the limitation "the collected component repair capability" was found. The Examiner is unclear to the use of the term "repair" and whether or not it means "service".
 9. Regarding Claims 2-4, the claims inherent the deficiency of the independent Claim No. 1.
- Appropriate action is required.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-5, 7-12 and 14-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Jay S. Walker (U.S. Patent No. 5,862,223 and Walker hereinafter).

Regarding Claims 1 and 5, Walker discloses:

a repository for collecting service capability of the user¹ (Col 7, Lines 34-37; see also Col 20, Lines 50-53)

an interface (Figure No. 4; see also Col 12, Line 64 through Col 13, Line 6; see also Col 13, Lines 18-20; see also Col 20, Lines 50-59, i.e. registered experts)

a database for storing the repository and receiving requests for solutions from the users (Col 7, Line 6-11 and Lines 30-34)

a link for responding to the request (Col 7, Lines 62-67).

Regarding Claims 2 and 8, Walker discloses multiple users (Col 20, Lines 50-53, i.e. experts; see also Col 7, Lines 3-5, i.e. users).

Regarding Claims 3 and 9, Walker discloses wherein the database is owned by an owner (Col 6, Lines 61-64, i.e. service provider).

Regarding Claims 4 and 10, Walker discloses internal and external users (Col 7, Lines 30-37).

Regarding Claims 7 and 15, Walker discloses passwords (Col 27, Lines 25-34).

Regarding Claim 11, Walker discloses wherein the interface is a web page (Col 13, Lines 35-42).

Regarding Claims 12 and 16, the limitation of this claim has been noted in the rejected claims 1 and 5 above. In addition Walker discloses wherein the service needs comprise repair needs (Col 11, Lines 15-55).

Regarding Claim 14, the limitations of this claim is similar in scope to the rejected claims 1 and 4-5 above. It is therefore rejected as set forth above.

Regarding Claim 17, Walker discloses categorizing and storing the user component service capability (qualification) (Col 25, Lines 21-40).

Regarding Claim 18, Walker discloses profile and tracking (Col 14, Lines 42-57).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

¹ Please note the Examiner interpretation of the term "users capability" is the same as the "expert qualification" in Walker's reference.

13. Claims 6, 13 and 19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jay S. Walker (U.S. Patent No. 5,862,223 and Walker hereinafter).

Regarding Claim 6, Walker reference discloses all of the claimed subject matter set forth above, except it does not explicitly indicate the step of wherein the component service needs are reviewed for potential engineering opportunity. However Walker teaches a system that provides expert answers and solutions to questions, queries and requests for service. The field of engineering is just an intended use of the invention, as one can query or request service or answers to a question regarding any field and/or any subject. The use of the Walker system in a different environment (such as hardware repair and solutions) would have been obvious to one of ordinary skill in the art and it does not rise to the level of patentability. The system may be used in other environment as well.

Regarding Claims 13 and 19, Walker reference discloses all of the claimed subject matter set forth above, except it does not explicitly indicate the step of wherein said server stores or download text and digital images. However Walker reference teaches storing data in a database (server) (Col 14, Lines 14-24). Though the reference doesn't explicitly teach storing image data or text data, yet one ordinary skilled in the art knows that a digital image and/or text have to be stored in the database/ server as data, whether the data is for an image or a text document, voice, video or any type of file, it is just another form of data and storing it in a database or in a server would not bring the claim to the level of patentability.

Other Prior Art Made of Record

14. Linetsky et al. (U.S. Patent No. 6,434,549) discloses a network-based, human-mediated exchange of information.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Points of Contact

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haythim J. Alaubaidi whose telephone number is (703) 305-1950. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any response to this office action should be mailed to:

The Commissioner of Patents and Trademarks, Washington, D.C. 20231 or telefax at our fax number (703) 872-9306.

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Haythim J. Alaubaidi

Haythim J. Alaubaidi
Patent Examiner
Technology Center 2100
September 3, 2003


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
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